REMARKS

The Office Action of February 27, 2009, has been carefully studied. Claims 1, 3 and 7-14 currently appear in this application. These claims define novel and unobvious subject matter under Sections 102 and 103 of 35 U.S.C., and therefore should be allowed. Applicant respectfully requests favorable reconsideration and formal allowance of the claims.

Claim Amendments

Claim 1 has been amended to limit the saccharide derivative(s) of α,α-trehalose to those derivatives that comprise a non-reducing saccharide having a trehalose structure as an end unit and a glucose polymerization degree of three or more. Support for this amendment can be found in the specification as filed at page 9, lines 22-27.

Claim 3 has been amended to depend from claim 1, as claim 2 has been cancelled. Claim 3 has been further amended to make it clear that the marine products and agricultural products are separate groups within the Markush group by inserting the term "processed" before each of "marine products" and "agricultural products".

Claims 7 and 8 have been amended to define the subject matter more clearly. Support tor "or more" in claim 8 can be found in the specification as filed at page 13, lines 12-13.

Claim Objections

Claim 2 is objected to under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim,.

As the present amendment cancels claim 2, this objection is now moot.

Rejections under 35 U.S.C. 112

Claims 3, 4, 7 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

With respect to claims 3 and 4, the Examiner states that it is unclear whether "marine products and agricultural products" is a single group or are separate groups within the Markush group. With respect to claim 7, the Examiner states that it is unclear whether the term "amorphous" refers to the overall final composition or to the properties of the saccharide derivative on a molecular level. The Examiner indicates that claim 8 is unclear as to what positive active

method steps are actually performed because the phrase "allowing" is said to be passive.

This rejection is respectfully traversed.

Claim 3 has been amended to make it clear that "marine products" and "agricultural products" are separate groups by inserting the term "processed" before each of these terms. Claim 4 has been cancelled. Claim 7 has been amended to clarify that it is the saccharide derivative(s) of α,α-trehalose mixed with the non-reducing ingredients in the step of mixing of claim 1 which is in an amorphous form. Claim 8 has been amended to recite that the saccharide derivative is "incorporated" into a powdery composition.

Art Rejections

Claims 1-9 and 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mandai et al., US 5,780,620 in view of Oobae et al., US application 2002/0042393. The Examiner states that Mandai teaches a method of using a saccharide derivative of α,α-trehalose in various applications, including as an additive in composition comprising non-saccharide ingredients such as miso or soy powder or fruits and vegetables.

This rejection is respectfully traversed.

It should be noted that the Examiner states at page 4, lines 11-13 of the Office Action, that the saccharide

derivatives of α,α-trehalose of Mandai are those in which one or several glucosyl groups are bound to **both** glucosyl groups in trehalose. In contrast thereto, the method for powderizing a non-saccharide ingredient as defined in amended claim 1 uses a saccharide derivative of α,α-trehalose "having a trehalose structure as an end unit."

There is nothing in Mandai that teaches the use of saccharide derivatives of α,α-trehalose having a trehalose structure as an end unit as a powderizing base.

While Mandai discloses saccharide derivatives of α,α-trehalose having a trehalose structure as an end unit in Experiments A-4 to A-5, it should be noted that such saccharide derivatives of α,α-trehalose are used solely for preparing a saccharide derivative in which one or several glucosyl groups are bound to **both** glucosyl groups in trehalose. Attention is directed to the Experiment B series in Mandai.

The Examiner states that Oobae teaches a method for using a saccharide derivative of α,α-trehalose as an excipient in powders and the like, which powders are used in medicine, food, etc. However, it should be appreciated that the saccharide derivative of α,α-trehalose taught in Oobae is merely a trehalose *per se*, which is a disaccharide having a glucose polymerization degree of **two**.

In contrast to this, the herein claimed method for powderizing a non-saccharide ingredient uses a saccharide derivative of α,α-trehalose having a trehalose structure as an end unit and a glucose polymerization degree of **three or more**.

There is nothing in Oobae that teaches the use of a saccharide derivative of α,α-trehalose having a trehalose structure as an end unit and a glucose polymerization degree of **three or more** as a powderizing base of a non-saccharide ingredient.

It is respectfully submitted that claim 1 as amended, and amended claims 7-12 dependent therefrom, are not obvious over Mandai in view of Oobae.

Claim 13 as amended recites a base for powderizing a non-saccharide derivative comprising a saccharide derivative of α,α-trehalose having a trehalose structure as an end unit and a glucose polymerization degree of three or more. Therefore, it is believed that claim 13, as well as claim 14 dependent therefrom, are not obvious over Mandai in view of Oobae for the same reasons as indicated above.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mandai in view of Oobae and further in view of Yoshiaki, JP 08-020581.

This rejection is respectfully traversed.

As discussed above, there is nothing in the combination of Mandai and Oobae that suggests the herein claimed method. Yoshiaki teaches the use of α,α-trehalose, which is a disaccharide having a glucose polymerization degree of **two**. There is nothing in Yoshiaki that teaches the use of a saccharide derivative of α,α-trehalose having a trehalose structure as an end unit and a glucose polymerization degree of **three or more** as a powderizing base for non-saccharide ingredients. Therefore, it is respectfully submitted that claim 10 is not obvious over the combination of Mandai, Oobae and Yoshiaki.

In view of the above, it is respectfully submitted that the claims are now in condition for allowance, and favorable action thereon is earnestly solicited.

Respectfully submitted,

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